

FILED BY *JH*

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IN THE UNITED STATES DISTRICT COURT
 05 MAY 25 PM 1:06 FOR THE WESTERN DISTRICT OF TENNESSEE 05 MAY 24 PM 1:52
 WESTERN DIVISION

ROBERT R. DI TOLIO
 UNITED STATES OF AMERICA,
 W.D. OF TN, MEMPHIS

Plaintiff,

vs.

FLYOD JOHNSON,

Defendant.

Cr. No. 04-20156-MI

MOTION GRANTED

SENTENCING RESET

TO Wednesday, June 1, 2005 @ 2:30PM

Robert R. Di Tollo
 CLERK U.S. DIST. CT.
 W.D. OF TN, MEMPHIS

J. P. McCalla
 JON PHIPPS McCALLA
 U.S. DISTRICT JUDGE

DATE *May 25, 2005*

JOINT MOTION TO CONTINUE

Comes now the United States of America by and through its counsel, Terrell L. Harris, United States Attorney for the Western District of Tennessee, and files its Joint Motion to Continuance the sentencing hearing from the present setting of May 26, 2005. A continuance is needed due to the fact that counsel for the government will be out of town. Additional time is also needed to address the issues set forth in the Presentence Report. Counsel for the defendant has been contacted and has no objection to this motion. Counsel for the defendant has authorized the undersigned to style this motion as a Joint Motion to Continue.

Respectfully submitted,

TERRELL L. HARRIS
 United States Attorney


By: *V. R. Oliver*

V. RAE OLIVER
 Assistant United States Attorney
 167 N. Main, Room 800
 Memphis, TN 38103
 (#18831 Tennessee)

CERTIFICATE OF SERVICE

I, V. Rae Oliver, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing Motion to Continue Sentencing Date has been mailed, first class postage pre-paid, to Marty B. McAfee, 246 Adams Avenue, Memphis, Tennessee 38103

This 21st day of May, 2005.



V. RAE OLIVER
Assistant United States Attorney
167 N. Main, Room 800
Memphis, TN 38103



Notice of Distribution

This notice confirms a copy of the document docketed as number 51 in case 2:04-CR-20156 was distributed by fax, mail, or direct printing on May 26, 2005 to the parties listed.

Valeria Rae Oliver
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Marty B. McAfee
MCAFEE & MCAFEE
246 Adams Ave.
Memphis, TN 38103

Honorable Jon McCalla
US DISTRICT COURT